

Douglas A. Ducey
Governor



Jaime Fitzgerald, L.Ac.
Chairman

Mario Fontes, L.Ac.
Secretary

Acupuncture Board of Examiners

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David Geriminsky
Executive Director
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REGULAR MEETING - May 31, 2019 OPEN SESSION MINUTES

Members of the Arizona Acupuncture Board of Examiners met at :

Wednesday, May 31, 2019, 2019, at 12:30 p.m.
1740 W. Adams,
Board Room B,
Phoenix, AZ 85007

Board Staff: David Geriminsky - Executive Director,
Attorney General Representative: Frankie Shinn-Eckberg, Assistant Attorney General

1. **CALL TO ORDER.** Chairperson Fitzgerald called the meeting to order at 12:32 p.m.

2. **RECOGNITION OF BOARD MEMBERS**

Board Members Present:

Jamie Fitzgerald, Chairperson
Mario Fontes, Secretary
Mindy Hayden
Susan Williams
Tali Lehavi

Board Members Absent:

Rosemary Zimmerman

3. **DECLARATION OF CONFLICTS OF INTEREST – A.R.S. §38-503**

No conflicts noted

4. **REVIEW, DISCUSSION AND APPROVAL OF BOARD MEETING MINUTES**

A. April 24, 2019 Regular Session Minutes

Board Member Fontes moved for the adoption of the April 24, 2019 Regular Board Meeting minutes with Board Member Hayden providing a second. The Motion Passed.

Fitzgerald	Fontes	Williams	Lehavi	Hayden	Zimmerman	Vote
X	X	X	X	X		Aye
						Nay
						Recused
						Abstained
					X	Absent

5. REVIEW AND DISCUSSION REGARDING PRESENTATIONS TO THE BOARD

- A. Neurobiology of Substance Use Disorder - Cynthia Miller-Potter and Liana Condello
Postponed to a later meeting
- B. Acupuncturists United of Arizona - Bill Smith

Bill Smith of Acupuncturists United was present and provided an overview of the mission and goals of the association. He introduced himself, and provided the Board with a copy of their 2019 membership letter. The Board thanked him for being present and indicated how important associations are as the representatives of the profession as it is the Board’s duty to protect the public health safety and welfare.

6. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING APPLICATIONS FOR LICENSURE

- A. Kirsten Jacob
- B. Cherron Dow-Chacon
- C. Jose Tomas
- D. Hong Kim
- E. Inna Engler
- F. Brenna Vandeveld
- G. Tamara Aukon
- H. Robin Jackson
- I. Keith Simmons

Executive Director Geriminsky provided a summary of license eligibility for Applicants A, B, C, D, E, F, G, H, and I, including any prior Licensure History, Criminal History, and other information necessary for the Board to determine License Eligibility.

The Board reviewed the license applicant chart and packet. Board Member Williams moved to grant licensure to Applicants A, B, C, E, F, G, H and I with Board Member Fontes providing a second. The Motion Passed.

Fontes	Hayden	William s	Lehavi	Fitzgerald	Zimmerman	Vote
X	X	X	X	X		Aye
						Nay
						Recused
						Abstained
					X	Absent

The Board reviewed the license applicant chart and packet. Board Member Fontes moved to deny licensure to Applicant D as the application was administratively deficient, with Board Member Hayden providing a second. The Motion Passed.

Fontes	Hayden	William s	Lehavi	Fitzgerald	Zimmerman	Vote
X	X	X	X	X		Aye
						Nay
						Recused
						Abstained

					X	Absent
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7. Review, Discussion and Possible Action Regarding Applications for Auricular Acupuncture Certification

Auricular Acupuncture Certification Applications

A. Cynthia Miller-Potter

The Board reviewed the Certification Applicant Chart. Board Member Fontes moved to grant licensure to Applicant A with Board Member Williams providing a second. The Motion Passed.

Fontes	Hayden	Williams	Lehavi	Fitzgerald	Zimmerman	Vote
X	X	X	X	X		Aye
						Nay
						Recused
						Abstained
					X	Absent

8. CONSENT AGENDA FOR REVIEW, DISCUSSION, AND POSSIBLE ACTION BY THE BOARD ON RATIFICATION OF RENEWAL OF LICENSES/CERTIFICATES ISSUED BY THE EXECUTIVE DIRECTOR TO INDIVIDUALS WHO MET REQUIREMENTS FOR RENEWAL

- | | | |
|----------------------|----------------------|------------------------|
| John A Montoya | Stephanie M Nelson | Jeremy R Werner |
| Pamela J Wallach | Monica B Anghel | Laurel A Harkins |
| Elizabeth Knickmeyer | Britt Faellstroem | Robert C Hudson |
| Gabrielle P Rubin | Renee R Pierce | Kelly W LeGendre |
| Anna M Symond | Dan Han | William R McCalla III, |
| Linda M Curran | Alireza Mansoorirad | Leigh E Marshall |
| Jose A Montoya | Peggy J Meents DeLay | Vera H Kaikobad |
| George A Munger | Ellen G Vincent | Yumiko G Foss |
| Sherri J Taylor | Deborah M Stewart | Jacqueline J Quinn |
| Melissa L Fletcher | Terry M Heaps | Ellen V Ona |
| Celia Hildebrand | Patricia L Crawford | Daniel Taylor |
| Emily P Thompson | Robert Koagedal | Tiffany M Avery |
| Gina Wu | Karin Hilsdale Rodes | David K Wallace |
| Chih-Wen Ting | Jessica Deahl | David A Myrick |
| Kimberly A Fatica | Gail P Thurman | Linda R Anderson |
| Daniel N Danforth | Zelene Quiles | David K LeGar |
| Pamela S Wake | Larry A Moore | Katie A Reed |
| Sena L Kimbrell | Pearl B Chen | Clinton R Withrow |
| 54 Renewals | | |

The Executive Director provided an overview of Licenses and Certificates renewed stating each had been reviewed, found eligible, and license was renewed pursuant to the Boards authorization.

Board Member Fontes moved to ratify and approve all applicants for license renewal listed above with Board Member Hayden providing a second. The Motion Passed.

Fontes	Hayden	William s	Lehavi	Fitzgerald	Zimmerman	Vote
X	X	X	X	X		Aye
						Nay
						Recused
						Abstained
					X	Absent

9. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING ALLEGATIONS OF UNPROFESSIONAL CONDUCT

A. Stephanie Moon-Barreto 2019-ACU-0002

Executive Director Geriminsky provided a brief overview of the Allegations of unlicensed activity. The Board found was unable to substantiate the allegations and found that the complaint held no merit. Board Member Fontes moved to dismiss the case as they were unable to independently verify the allegations. Board Member Lehavi seconded. The Motion Passed.

Fontes	Hayden	William s	Lehavi	Fitzgerald	Zimmerman	Vote
X	X	X	X	X		Aye
						Nay
						Recused
						Abstained
					X	Absent

10. REVIEW, DISCUSSION AND POSSIBLE ACTION ON APPLICATIONS FOR CHEMICAL DEPENDENCY PROGRAM APPROVAL

- A. Decision Point LLC
- B. Stuck Community Acupuncture
- C. Embark Recovery LLC

The Executive Director provided an overview of the applications for approval indicating that Items A and B had provided all necessary documentation pursuant to the Substantive Policy Statement but that Item C was incomplete at this time.

After discussion and review, Board member Williams moved to approve Items A and B and to postpone item C until the application is complete. Board Member Lehavi seconded. The Motion Passed.

Fontes	Hayden	William s	Lehavi	Fitzgerald	Zimmerman	Vote
X	X	X	X	X		Aye

						Nay
						Recused
						Abstained
					X	Absent

11. Review, Discussion and Possible Action on Applications for Continuing Education Course Approval

A. Mindfulness Based Stress Reduction And Relaxation

Executive Director Geriminsky provided a brief overview of the application packet. The Board found that the Course met the minimum eligibility requirements in law and rule. Board Member Lehavi moved to approve this course for 29 Continuing Education Units. Board Member Fontes seconded. Board Member Hayden voted Nay. The Motion Passed.

Fontes	Hayden	Williams	Lehavi	Fitzgerald	Zimmerman	Vote
X		X	X	X		Aye
	X					Nay
						Recused
						Abstained
					X	Absent

B. Lab Interpretation and Utilization

Executive Director Geriminsky provided a brief overview of the application packet. The Board found that the Course met the minimum eligibility requirements in law and rule. Board Member Williams moved to approve this course for 8 Continuing Education Units. Board Member Hayden seconded. The Motion Passed.

Fontes	Hayden	Williams	Lehavi	Fitzgerald	Zimmerman	Vote
X	X	X	X	X		Aye
						Nay
						Recused
						Abstained
					X	Absent

C. Acupuncture Healthcare of Arizona

Executive Director Geriminsky provided a brief overview of the application packet. The Board found that the Course met the minimum eligibility requirements in law and rule. Board Member Fontes moved to approve this course for 3 Continuing Education Units. Board Member Lehavi seconded. The Motion Passed.

Fontes	Hayden	Williams	Lehavi	Fitzgerald	Zimmerman	Vote
X	X	X	X	X		Aye
						Nay
						Recused

						Abstained
					X	Absent

12. Review, Discussion and Possible Action Regarding Acudetox treatment for Trauma

The Board discussed this issue and found that Auricular Acupuncturists are already educated and trained in the treatment of Trauma and that this would not include any additional treatment types outside of the 5 needle protocol. Further, that including the treatment of trauma would not provide a danger to the patient and would reduce a regulatory burden on the Auricular Acupuncturist allowing them to practice within their education.

This being the case the Board directed the Executive Director to seek a legislative change to include trauma in the definition of Auricular Acupuncture.

13. Review, Discussion and Possible Action Regarding Board Goals for FY20

The Board took no action

14. Review, Discussion and Possible Action Regarding Statutory Change to ARS § 32-3902 - Composition of Board

The Board discussed reducing the amount of Board Members from 9 to 7. After review of the composition of Boards in other states and comparing to the size of Boards in Arizona the Board directed the executive Director to seek legislative change to remove one Acupuncturist Position, One member licensed pursuant to chapter 8, 13, 14, 17 or 29, and one consumer member while adding one Auricular Acupuncturist Member.

15. Review, Discussion and Possible Action Regarding Unlicensed Practitioners and Executive Order 2019-01

The Executive Director provided an overview of the requirements of EO2019-01 indicating that the licensing policy had been updated to conform with the unlicensed activity requirements in that order.

The Board reviewed the policy and Board Member Williams moved to approve the policy changes. Board Member Hayden Seconded. The Motion Passed.

Fontes	Hayden	William s	Lehavi	Fitzgerald	Zimmerman	Vote
X	X	X	X	X		Aye
						Nay
						Recused
						Abstained
					X	Absent

16. Review, Discussion and Possible Action Regarding Executive Director Report

- A. Budget/Strategic Plan
- B. Summary of Current Events
- C. Survey Results
- D. Complaints Status

- E. Legislative Update
- F. Board Office Highlights

Executive Director Geriminsky provided the Board an update on pending complaints, recent legislation and generally on the above items including attending an event for the Acupuncturists United of Arizona Society and being contacted by a reporter in regards to Auricular Acupuncture and Chemical Dependency Programs. The Board took no action at this time.

17. Review, Discussion and Possible Action Regarding Future Regular Meeting Dates

- June 26, 2019
- July 24, 2019
- August 28, 2019 - Cancelled
- September 25, 2019 - Flagstaff
- October 23, 2019 - Tucson
- November 27, 2019 - Reschedule

The Board took no action

16. Call to the Public

No comment was received

17. Discussion of Items to be placed on a future meeting agenda

No other items were requested for future meetings

18. Adjournment

Board Member Hayden moved for adjournment and Board Member Williams provided a second. The Motion passed. The Board adjourned at 2:04 p.m.

Fontes	Hayden	Williams	Lehavi	Fitzgerald	Zimmerman	Vote
X	X	X	X	X		Aye
						Nay
						Recused
						Abstained
					X	Absent